UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:	Case No. 16-57092-mlo
Melissa Ann Rice,	Chapter 7
Debtor.	Hon. Maria L. Oxholm

_________________________________/

Daniel M. McDermott,
United States Trustee,

Plaintiff, Adversary Case No. 17-4362

v.

Melissa Ann Rice,

Defendant.

_________________________________/

STIPULATION FOR ENTRY OF ORDER WAIVING DEBTOR MELISSA RICE'S CHAPTER 7 DISCHARGE UNDER 11 U.S.C. § 727(a)(10)

The United States Trustee (The "U.S. Trustee") and Debtor Melissa Ann Rice (collectively, "the Parties"), by and through their attorneys of record, advise the Court that they have reached an agreement resolving and settling issues intended to be pursued by the U.S. Trustee under 28 U.S.C. § 586 and 11 U.S.C. § 727(a).

The U.S. Trustee and the Debtor, by and through their attorneys, agree that this stipulation contains acknowledgements and the terms of said acknowledgement, and respectfully request that the Court accept and approve the attached Stipulation and Order Waiving Discharge for Debtor Melissa Ann Rice.

ACKNOWLEDGEMENTS

1. Debtor acknowledges that she caused a Chapter 7 bankruptcy petition to be filed on her behalf in the United States Bankruptcy Court for the Eastern District of Michigan on December 22, 2016, and said petition was docketed as case number 16-57092.

2. Debtor acknowledges, without making any admissions, that the U.S. Trustee has chosen to initiate an action to deny her discharge, which could bar and deny the Debtor a Chapter 7 discharge under 11 U.S.C. § 727(a).

3. Debtor acknowledges her desire to resolve the matter without the need for further inquiry or litigation, and without making any admissions, she has chosen to waive her entitlement to a Chapter 7 discharge for any and all debts she incurred as of and prior to December 22, 2016.

4. Debtor acknowledges and understands the consequences of a waiver of her Chapter 7 discharge, specifically, that she will remain liable for any and all of her debts as of the date her bankruptcy petition was filed.

TERMS

5. The Debtor agrees and respectfully requests this Court to enter a permanent order approving her waiver of discharge, denying her Chapter 7 discharge under11 U.S.C. § 727(a)(10) for those debts incurred up to and including December 22, 2016.

6. The Debtor further waives all right to appeal the entry of any order approving this stipulation, and the waiver of her bankruptcy discharge. The Debtor further waives the right to review of this stipulation, or the resulting order denying discharge, under Fed. R. Civ. P. 60.

7. The Debtor further agrees that should the Court fail to approve this stipulation for any reason, the parties shall be free to proceed litigating the merits of the U.S. Trustee's intended adversary case under 11 U.S.C. § 727 as they see fit.

WHEREFORE, the Debtor, Melissa Ann Rice, respectfully requests that this Stipulation and attached Order be accepted, approved, and entered as a permanent Order in this case, and the Chapter 7 discharge of her debts be waived with regard to those debts incurred by her prior to and including December 22, 2016.

DANIEL M. McDERMOTT
UNITED STATES TRUSTEE
Region 9

Melissa Ann Rice
Melissa Ann Rice

Babut Law Offices, PLLC

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Dated: May 11, 2017

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In re:

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_____________________________________/

ORDER DENYING DISCHARGE OF DEBTOR UNDER 11 U.S.C. § 727

THIS MATTER came before the Court on the present stipulation between the United States Trustee and Debtor Melissa Ann Rice. Nothing in this Order prohibits the Debtor's ability to obtain a discharge in Chapter 13 under 11 U.S.C. § 1328. The Court is otherwise fully advised in this matter.

NOW, THEREFORE,

IT IS ORDERED that a discharge under 11 U.S.C. § 727(a)(10) with respect to Debtor Melissa Ann Rice is **DENIED** and shall not issue.